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EXAMINER

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Applicant's Arguments

1. **In response to** “As discussed in column 9 of Robar et al., Figures 8A-8C show a phantom 14 with a film cassette 40 mounted at a known location inside the phantom 14. Inside the film cassette 40 is a set of films 12. Figures 8A-8C show different orientations of the cassette 40 inside the phantom. A set of films corresponding to each orientation is exposed and then separately digitized in step 110 of Figure 1. Thus, contrary to the Office Action's contention, Figures 8A-8C disclose different orientations of the cassette inside the phantom 14, but cannot be said to disclose reading each of a plurality of film originals placed on an original support in a mixed manner with a landscape orientation and a portrait orientation, as recited in Claim 1”.

However, **Robar**'s invention was concerned with the problem of how to process films in their mixed orientations when films in cassette 40 are removed and processed (**Col 5, Rows 27-36**). The invention includes software that analyzes the scanned films in their various orientations and orients them automatically (**Col 6, Rows 17-20**). Thus, Fig 8 and the cited portion of **Robar** substantially suggests that films, when placed on an original support in accordance to the orientation disclosed by Fig 8, would be scanned and digitized in accordance to their mixed orientations (**landscape or portrait**) and that a software executed process would automatically re-orient them in an uniform manner. Thus, **Robar** can be understood to disclose “reading film originals placed on an original support in a mixed manner with a landscape orientation and a portrait orientation”.

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2. **In response to “Robar et al. already discloses a method of automatically reorienting film images so that the film images are in the correct orientation, i.e., the fiducial marks are aligned. (see Figures 7A-7D; column 7, lines 1-9). Thus, contrary to the Office Action's assertions, no additional benefit is gained by a landscape placement of film images” and “The rationale for this is also clear: the order and orientation of the films in the cassette are important because they correspond to a dosage of radiation received at a particular point. Thus, the orientation of the films 12 in the cassette 14 must be preserved. Performing orientation and rotation of the films such that they are in landscape placement – as the Office Action suggests - rather than according to the fiducial marks, would result in inaccurate data about a radiation dose at a particular point, thus rendering Robar et al. unfit for its intended purpose”.**

Applicant's argument (**orientation of the films in the cassette must be preserved because they correspond to dosage of radiation received**) appears to suggest that whatever orientation the films were originally in (**Fig 8**), it has to be preserved. That conclusion runs in direct contradiction to **Robar's** disclosure. Compare Fig 8 with Fig 7 (**where fiducial marks 18 are located**), applicant's argument essentially suggest that film in Fig 8C must remain in its tilted orientation and fiducial mark made sure that the software would allow it to remain so. However, this suggestion directly contradicts the operation of fiducial marks disclosed in Fig 7 considering that Fig 8C is precisely the problem **Robar** was concerned with (**Col 5, Row 30, orientations of the films to become mixed up. See also Col 6, Row 66 – Col 7, Row 9**).

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The totality of disclosure of *Robar* with respect to fiduciary mark (**Col 8, Row 40 – Col 9, Row 27**) suggests that the marks are the primary means *Robar* depended on to automatically orient the films (**See in particular, Col 8, Rows 45-49**) and to preserve order. The disclosure cited by the applicant (**Col 9, Rows 22-27**) only served to reinforce that notion by suggesting that it is preferable to apply the fiducial marks before films 12 are removed from their cassette so that films cannot become mixed up in order or orientation before the marks are applied (**in contrast to scenarios where marks are applied during or after the exposure of films or films are removed and scanned, Col 9, Rows 22-24**). Thus, the intended purpose is simply to use it for reordering and reorienting the films, not to preserve the tiled orientation shown in Fig 8C.

Here, *Robar* never disclosed what orientation the software will orient the films to. *Yoshida* simply suggested one orientation and one skilled in the art would've modify the software to orient the films in accordance to *Yoshida* and the combination would predictably display the films in the orientation dictated by *Yoshida*. Examiner does not see how orienting the films in the manner suggested by *Yoshida* would somehow render *Robar* unfit for its intended purpose.

3. In response to argument addressing Anderson.

Anderson simply introduced the concept that a viewer should be given the option to set the exact orientation one most prefers. The fact that *Robar* does not suggest what the orientation is when its software automatically orients the films means that, so long as the software orients the films in some manner, the ultimate orientation (**landscape or portrait**)

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and viewing format (**such as thumbnail**) of the films are best decided by the viewer of the films.

/RICHARD Z ZHU/

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